Remarks

The final Office Action mailed May 6, 2009 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-31 are now pending in this application. Claims 1-31 stand rejected.

The rejection of Claims 1-31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,353,734 to Wright (hereinafter referred to as "Wright") in view of U.S. Patent No. 6,389,337 to Kolls (hereinafter referred to as "Kolls") is respectfully traversed.

Wright describes transmitting a record of aircraft flight performance and engine performance over a ground link-based aircraft data communication system. An airport-resident ground data link subsystem 200 downloads engine data during initial take-off, and flight performance data after the aircraft has landed. An aircraft-installed ground data link subsystem 100 is operatively coupled to sensors positioned on the aircraft for sensing engine conditions and for generating engine data relating to the operation of the engine during at least initial take-off. Data collected by the sensors is stored in a memory 134. The aircraft-installed ground data link subsystem 100 includes a wireless transceiver 136 that accesses data stored in the memory 134, encrypts the data, and transmits the data via a selected sub-channel of the wireless ground communication link to a wireless router 201 of the airport-resident ground data link subsystem 200. Notably, Wright does not describe nor suggest selectively disabling transmission of a stream of data from a supervisory processor to a subscriber based on a violation of terms of a data sharing agreement.

Kolls describes a process wherein data communication can be optionally suspended or terminated between a communication interface (COM) device 100, an in-vehicle device 200, a specific in-vehicle device 200, an Internet based server and/or an Internet appliance. Further, the Examiner alleges that Kolls describes a vehicle telemetry system that transmits vehicle telemetry to a computer system in a manner that can be suspended/terminated based on cost of communications. However, even if Kolls describes this feature as alleged by the Examiner, Kolls does not describe nor suggest selectively disabling the transmission of a stream of data from a supervisory processor to a subscriber based on a violation of terms of a data sharing agreement.

Claim 1 recites a method of selectively controlling communication between a supervisory processor and a subscriber that comprises "receiving a stream of data at the supervisory processor . . . controlling transmission of the stream of data from the supervisory processor to the subscriber based on the supervisory processor configuration, wherein the supervisory processor selectively disables transmission of the stream of data from the supervisory processor to the subscriber based on a violation of a data sharing agreement...."

No combination of Wright and Kolls describes nor suggests a method of selectively controlling communication between a supervisory processor and a subscriber as is recited in Claim 1. More specifically, no combination of Wright and Kolls describes nor suggests a method of controlling communication that includes selectively disabling transmission of a stream of data from a supervisory processor to a subscriber based on a violation of terms of a data sharing agreement. Rather, in contrast to the present invention, Wright describes a method of wireless aircraft data communication that includes continuously broadcasting an interrogation beacon from the ground that includes information on power level restrictions of the airport and transmitting data, at a power level that meets the airport power level restrictions, from an on-board data-link, and Kolls describes a process where data communication can be optionally suspended or terminated between a communication interface (COM) device, an in-vehicle device, a specific in-vehicle device, an Internet based server, or an Internet appliance. Accordingly, for at least the reasons stated above, Claim 1 is submitted to be patentable over Wright in view of Kolls.

Claims 2-11 depend from independent Claim 1. When the recitations of Claims 2-11 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-11 likewise are patentable over Wright in view of Kolls.

Claim 12 recites a data network that comprises "a first proprietary network segment configured to receive proprietary data communication from a proprietary data source . . . a supervisory processor communicatively coupled to said first proprietary network segment, said processor configured to execute software instructions based on a processor configuration . . . a subscriber network segment coupled to said supervisory processor, said subscriber network segment configured to selectively transmit subscriber data from said supervisory processor to a subscriber based on a violation of terms of a data sharing agreement."

No combination of Wright and Kolls describes nor suggests a data network as is recited in Claim 12. More specifically, no combination of Wright and Kolls describes nor suggests a data network that includes a subscriber network segment configured to selectively transmit subscriber data from a supervisory processor to a subscriber based on a violation of terms of a data sharing agreement. Rather, in contrast to the present invention, Wright describes a method of wireless aircraft data communication that includes continuously broadcasting an interrogation beacon from the ground that includes information on power level restrictions of the airport and transmitting data, at a power level that meets the airport power level restrictions, from an on-board data-link, and Kolls describes a process where data communication can be optionally suspended or terminated between a communication interface (COM) device, an in-vehicle device, a specific in-vehicle device, an Internet based server, or an Internet appliance. Accordingly, for at least the reasons stated above, Claim 12 is submitted to be patentable over Wright in view of Kolls.

Claims 13-21 depend from independent Claim 12. When the recitations of Claims 13-21 are considered in combination with the recitations of Claim 12, Applicants submit that dependent Claims 13-21 likewise are patentable over Wright in view of Kolls.

Claim 22 recites a gas turbine control monitoring system for selectively transmitting gas turbine engine operational data from a supervisory processor to a subscriber. The gas turbine control monitoring system comprises, "a subscriber data network communicatively coupled to said supervisory processor, wherein said supervisory processor is configured to selectively transmit gas turbine engine operational data to the subscriber through said subscriber data network, wherein the transmission is based on terms of a data sharing agreement."

No combination of Wright and Kolls describes nor suggests a gas turbine control monitoring system as is recited in Claim 22. More specifically, no combination of Wright and Kolls describes nor suggests a gas turbine control monitoring system that includes a subscriber data network communicatively coupled to a supervisory processor, wherein the supervisory processor is configured to selectively transmit gas turbine engine operational data to a subscriber through the subscriber data network, wherein the transmission is based on a violation of terms of a data sharing agreement. Rather, in contrast to the present invention, Wright describes a method of wireless aircraft data communication that includes continuously broadcasting an interrogation beacon from the ground that includes information on power level restrictions of the airport and transmitting data, at a power level that meets the airport power level restrictions, from an on-board data-link, and Kolls describes a process where data communication can be optionally suspended or terminated between a communication interface (COM) device, an in-vehicle device, a specific in-vehicle device, an Internet based server, or an Internet appliance. Accordingly, for at least the reasons stated above, Claim 22 is submitted to be patentable over Wright in view of Kolls.

Claims 23-31 depend from independent Claim 22. When the recitations of Claims 23-31 are considered in combination with the recitations of Claim 22, Applicants submit that dependent Claims 23-31 likewise are patentable over Wright in view of Kolls.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-31 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

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